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Agenda item 110 (a)

HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS

Australia, Austria, Belgium, Canada, Chile, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,[1] article 7 of the International Covenant on Civil and Political Rights,[2] the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[3] and its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and all its subsequent relevant resolutions,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] Resolution 3452 (XXX), annex.

Recalling General Assembly resolution 36/151 of 16 December 1981, which noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Recalling the recommendation in the Vienna Declaration and Programme of Action,[4] that high priority should be given to provision of the necessary resources to assistance to victims of torture and effective remedies for their physical, psychological and social rehabilitation, inter alia, by additional contributions to the United Nations Voluntary Fund for Victims of Torture,

Noting with satisfaction the existence and rapid expansion of an international network of centres for the rehabilitation of torture victims, which plays an important role in providing assistance to victims of torture, and the collaboration of the Fund with the centres,

1. Commends the Committee against Torture for its excellent report[5] submitted in accordance with the provision of Article 24 of the Convention against Torture;

2. Notes with appreciation that during the present reporting period, eight States have become party to the Convention, increasing the number of States parties to one hundred;

3. Urges all States that have not yet done so to become parties to the Convention as a matter of priority;

4. Invites all States ratifying or acceding to the Convention and those States which are parties to the Convention and which have not yet done so to consider joining the States parties which have already made the declarations provided for in articles 21 and 22 of the Convention, and to consider the possibility of withdrawing their reservations to article 20;

5. Urges States parties to comply strictly with their obligations under the Convention, including their obligation to submit reports in accordance with article 19 of the Convention in view of the high number of reports not submitted;

6. Calls on all Governments to cooperate with and assist the Special Rapporteur on Torture in the performance of his task, and to supply all necessary information requested by him and to react appropriately to his urgent appeals;

7. Approves the methods of work employed by the Special Rapporteur, in particular as regards urgent appeals, reiterates his need to be able to respond

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[4] A/CONF.157/24 (Part I), chap. III.

[5] Official Records of the General Assembly, Fifty-first Session, Supplement No. 4 (A/51/44).

effectively to credible and reliable information that comes before him and invites him to continue to seek the views and comments of all concerned in the elaboration of his report and expresses its appreciation of the continuing discrete and independent way in which he carries out his work;

8. Stresses the need for regular exchanges of views between the Committee against Torture, the Special Rapporteur on Torture and other relevant United Nations mechanisms and bodies, with a view to enhancing further their effectiveness and cooperation on issues relating to torture inter alia by improving their coordination;

9. Commends the High Commissioner for Human Rights and the Secretariat for support to States in preparing national reports to the Committee;

10. Urges States parties to take fully into account the conclusions and recommendations made by the Committee after consideration of their reports;

11. Urges all States parties to the Convention to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention as soon as possible;

12. Encourages the open-ended Working Group of the Commission on Human Rights on the elaboration of a draft protocol to the Convention against Torture establishing a preventive system of regular visits to places of detention to intensify its deliberations with a view to an early conclusion of its work;

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13. Expresses its gratitude and appreciation to the Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;

14. Appeals to all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the Fund, if possible on a regular basis and annually before the meeting of the Board of Trustees of the Fund and if possible also with a substantial increase in the level of contributions so that consideration may be given to the ever-increasing demand for assistance;

15. Requests the Secretary-General to transmit to all Governments the appeals of the General Assembly for contributions to the Fund;

16. Requests the Secretary-General to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

17. Expresses its appreciation to the Board of Trustees of the Fund for the work it has accomplished;

18. Requests the Secretary-General to assist the Board of Trustees of the Fund in its appeal for contributions and its efforts to make better known the existence of the Fund and the financial means currently available to it as well

as its assessment of the global need for international funding of rehabilitation services for torture victims and in this effort to make use of all existing possibilities, including the preparation, production and dissemination of information materials;

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19. Requests the Secretary-General to ensure provision of adequate staff and facilities for the bodies and mechanisms that combat torture corresponding to the strong support combating of torture enjoys by the Member States;

20. Invites donor countries and developing countries that so agree to include in their bilateral development cooperation programmes and projects relating to the training of armed forces and police personnel as well as health care personnel in matters relating to the protection of human rights and the prevention of torture;

21. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-third session and to the General Assembly at its fifty-third session a report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as well as report on the operations of the United Nations Voluntary Fund for the Victims of Torture;

22. Decides to consider the reports of the Secretary-General and the Committee against Torture at its fifty-third session under the sub-item entitled "Implementation of human rights instruments".